

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALEX GARCIA, JR.,

Defendant.

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

DEC 23 2011

Case No. 10-CR-329-F
Stephan Harris, Clerk
Cheyenne

ORDER DENYING MOTION TO CONTINUE SENTENCING

THIS MATTER is before the Court on Defendant Alex Garcia, Jr.'s Motion to Continue Sentencing. The Court having reviewed the motion and being fully advised in the premises, **FINDS** that the motion should be DENIED.


Defendant seeks additional time to respond to sentencing issues contained in the Presentence Investigative Report (PSR) received by Mr. Garcia on December 12, 2011. Defendant claims that the PSR raises significant sentencing issues that will require further research and consultation.

However, Defendant fails to assert that these sentencing issues are novel or complex or that these issues should not have been anticipated by counsel in advance of receiving the PSR in this matter. Additionally, Defendant's sentencing is currently set for January 13,

2012, which provides Defendant with a month between receiving the report and the sentencing to consider and review any issues that might be in the report.

For all of these reasons, Defendant's Motion to Continue Sentencing is DENIED.

Dated this 23 day of December, 2011.


NANCY D. FREUDENTHAL
UNITED STATES DISTRICT JUDGE